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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/954,976	09/18/2001	Surendra N. Naidoo	020775.000010	8803
30652	7590	05/12/2005	EXAMINER	
CONLEY ROSE, P.C. 5700 GRANITE PARKWAY, SUITE 330 PLANO, TX 75024				VO, TUNG T
		ART UNIT		PAPER NUMBER
		2613		

DATE MAILED: 05/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/954,976	NAIDOO ET AL.	
	Examiner Tung Vo	Art Unit 2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is **FINAL**.                                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-46 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-46 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \*    c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 2, 5, and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Courtney (US 6,385,772 B1) as set forth in the previous Office Action dated 09/02/2004.
3. Claims 1-46 are rejected under 35 U.S.C. 102(e) as being anticipated by Foodman (US2002/0005894 A1, filed 04/20/01) as set forth in the previous Office Action dated 09/02/2004.
4. Claims 38-46 are rejected under 35 U.S.C. 102(e) as being anticipated by Saylor et al. (6,400,265, filed 04/24/01) as set forth in the previous Office Action dated 09/02/2004.

### ***Response to Arguments***

5. Applicant's arguments filed 01/05/2005 have been fully considered but they are not persuasive.

The applicant argued that the system disclosed in Courtney is not equipped with redundant notification capability disclosed and claimed by Applicants, pages 20-22 of the remarks.

The examiner respectfully disagrees with that applicant. It is submitted that that Courtney does discloses the monitoring apparatus (10 of fig. 1) comprises cameras, IR sensor, WWW Server as a computer, these are considered as a security gateway system that is used broadly to mean a system for monitoring (12, 13, 19, and 24), and a cellular based station (36 of fig. 1) is considered as a gateway server, the based station is operable to the computer (24 of fig. 1) networks, a first network is Internet (38 of fig. 1), a second network is (41 of fig. 1), and more other networks can be used as suggested by Courtney (col. 4, lines 4-7).

The computer (24 of fig. 1) is capably transmitting a video image detected by the cameras (12 and 13 of fig. 1) through the Internet (38 of fig. 1; col. 4, lines 36-45) and when the sensor (19 of fig. 1) outputs a signal at (31 of fig. 1) to indicate that it has detected the presence of such a heat source; the computer (24 of fig. 1) capably responds by using its not-illustrated modem to place *a telephone call* to the telephone in the portable unit (46 of fig. 1), *namely through the telephone line (41 of fig. 1)*, the base station (36 of fig. 1) and the wireless link (49 of fig. 1). This notifies the person or operator possessing the portable unit (46 of fig. 1) that something is happening in the remote area being monitored by the system (10 of fig. 1). In view of the discussion above, Courtney anticipates the claimed features.

The applicant have carefully reviewed the Foodman reference and have failed to find anything teaching or suggestion of first and second network connections between the security 311 and the website 321, and associates the retrieved user with an alarm video received user data

with an alarm video received from a third discrete element and transmits the alarm video and the associated user data to a fourth discrete element, pages 23-27 of the remarks.

The examiner respectfully disagrees with the applicant. It is considered the Foodman reference as a whole and further submitted that Foodman teaches a security system (311 of fig. 3B-1) and a website (321 of fig. 3B-2) are considered a gateway security system that transmits voice, data and video image to multiple remote locations and provides automatic notification to multiple interested parties of alarm event at a premises ([0013], page 2); the multiple remote locations and interested parties (31, 323, 327, 329, 330, and 331 of fig. 3B) are considered as a gateway server that is operable to communicate with the security gateway system. The gateway security system (321 of fig. 3B-1) capably transmits the video, data and voice channel to the remote locations (remote location 323 of fig. 3B-2; [0015], page 2, e.g. central monitor, remote location) through one of the networks as DSL, Internet and the notification alarm to the interested parties (Fire or premises owner 327 or 330 of fig. 3B-2; [0015], page 2, e.g. owner, police department) by one of the networks simultaneously. Wherein one of the networks is standard phone line, broad band bi-directional cable connection, digital subscriber line ("DSL"), wireless phone service or any other internet compliant communication format. One skilled in the art can use a telephone line (telephone network) to connect between the website (321 of fig. 3B-2) and premises owner (330 of fig. 3B-2) and the DSL (DSL network) between the website (321 of fig. 3B-2) and the remote location (323 of fig. 3B-2). Foodman further suggested associates the retrieved user (Premises owner 330 of fig. 3B-2) with an alarm video received user data with an alarm video received from a third discrete element (331 of fig. 3B-2, e.g. emailing the alarm video to the premises owner) and transmits the alarm video and the associated user data to a

fourth discrete element (line 327 of fig. 3B-2, e.g. transmitting the alarm video with email text to the Fire department). In view of the discussion above, Foodman anticipates the claimed features.

The applicant further argued that Saylor does not teach a security system in which a first discrete element retrieves user data from a second discrete element, associates the retrieved user data with an alarm video received from a third discrete element and transmits the alarm video and associated user data to a fourth discrete element, pages 27-28 of the remarks.

The examiner respectfully disagrees with the applicant. It is submitted that Saylor does disclose a security system (100 of fig. 1) for providing security monitoring services for a plurality of users (160 of fig. 1) comprising: a plurality of security gateways (110, 112, 114 of fig. 1), each located at a premises, wherein each security gateway (110 of fig. 1) is operable to detect an alarm condition and to record video of at least a portion of its respective premises relating to the alarm condition (col. 4, lines 18-30, e.g. alarm situations are detected by a control panel 120, 122, 124 of fig. 1 and then transmitted to the central security network), said video hereinafter referred to the Alarm Video; a security system sever (130 of fig. 1) operatively coupled to the plurality of security gateways, the security system sever comprising a user information detectable (140, 142, 144, 146 of fig. 1), comprising data about each of the plurality of users, said data referred to hereinafter as User Data, wherein each security gateway is configured to notify the security system server of the alarm condition and to transfer the Alarm Video to the security system server in substantially real time (col. 4, lines 18-65), wherein the security system server is operable to associate the Alarm Video with at least a portion of the User Data, said portion referred to hereinafter as Associated User Data (figs. 2 and 3); and a monitoring client (160 of fig. 1) operatively coupled to the security system server, and wherein

the security system server is configured to transfer the notification of the alarm condition, the Alarm Video and Associated User Data to the monitoring client, and wherein said monitoring client is configured to display at least a portion of the Alarm Video and the Associated User Data (fig. 4, e.g. user accesses the website, 130 of fig. 1), so Saylor clearly suggests a first discrete element retrieves user data from a second discrete element, associates the retrieved user data with an alarm video received from a third discrete element and transmits the alarm video and associated user data to a fourth discrete element as claimed. Therefore, the Saylor reference anticipates the claimed features.

It is noted that the law of anticipation does not require that a reference “teach” what an applicant’s disclosure teaches. Assuming that a reference is properly “prior art,” it is only necessary that the claims “read on” something disclosed in the reference, i.e., all limitations of the claim are found in the reference, or “fully met” by it. *Kalman v. Kimberly-Clark Corp.*, 713 F.2d 760, 772, 218 USPQ 781, 789 (Fed. Cir. 1983).

### ***Conclusion***

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung Vo whose telephone number is 571-272-7340. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris. Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tung Vo  
Primary Examiner  
Art Unit 2613